

REMARKS

This Response for Reconsideration is prepared in response to the Office action mailed on 17 January 2007 (Paper No. 20061228).

Claims 1-24 have been rejected under 35 USC 103 as obvious over Suda in view of Ihara for the reasons stated in section 2 on pages 2-15 of the Office Action. This rejection is traversed the following reasons:

This rejection in many ways corresponds to the rejection of the claims contained in the July 26, 2006 Office Action. However, the Examiner now admits that Suda is deficient with regard to many of the recited features of the present claims. The Examiner then argues that Ihara teaches the features deficient in Suda and then argues that it would be obvious to combine the features of the two references to produce a combination which purportedly meets all of the recited limitations of the rejected claims.

Applicants strongly disagree with the Examiner's arguments for the following reasons:

In the paragraph in the middle of page 3 of the Office Action, the Examiner admits that Suda "fails to specifically disclose providing a high-speed wireless data service for the access nodes, and carrying out a call connection release after completing the high-speed wireless data service."

The Examiner then argues that the abstract and lines 14-63 of column 6 of Ihara teaches the above-noted feature deficient in Suda. However, it is submitted that the cited portions of Ihara do

not teach or suggest the feature deficient in Suda.

Furthermore, the Examiner then used circular reasoning to argue that it would be obvious to combine the features of Suda and Ihara for the "reason" that it would result in the recited feature deficient in Suda. Accordingly, is submitted that it would not be obvious to combine the features of Suda and Ihara since there is no teaching or suggestion in either reference supporting such a combination.

Substantially the same reasoning is noted by the Examiner in the paragraph in the middle of page 4 of the Office Action and in the paragraph bridging pages 5-6 of the Office Action and the first complete paragraph on page 8 of the Office Action and in the paragraphs in the middle of pages 11 and 12, and in the paragraph bridging pages 13 and 14. Accordingly, it is submitted that Ihara does not teach the recited features deficient in Suda nor would I be obvious to combine the two references in the fashion noted by the Examiner for the reasons noted above with regard to the paragraph in the middle of page 3 of the Office Action.

Furthermore, claims 18, 19, 20, 23, and 24 each recite a computer-readable medium having computer-executable instructions for performing a method for performing a call processing operation to manage state information of access nodes in a high-speed wireless data system or a data structure for performing a call processing operation to manage state information of access nodes in a high-speed wireless data system.

The Examiner has argued that the combination of Suda and Ihara teach the recited features

of claims 18, 19, 20, 23, and 24. However, neither Suda nor Ihara teach or suggest or even consider the use of a computer-readable medium having computer-executable instructions as recited in these rejected claims. Accordingly, it is further submitted that these claims are patentable over the proposed combination of references for not teaching or suggesting the computer-readable medium of the rejected claims.

Stated differently:

It is an object of the present invention to reduce occurrences of an all-busy state of a base station having a definite number of traffic channels. On the other hand, Suda (US 6,122,518) discusses a preventing method in which it is impossible to perform voice communication by assigned data communication to all channels, or it is impossible to perform data communication by assigned voice communication to all channels. Also, the call connection release is not necessary when the data service is completed and then updated for a busy state. Suda states that it is an object to reduce occurrences of an all-busy State of a base station having a, definite number of traffic channels,. However, Suda is actually trying to reduce the busy state. Further, information is compared as to whether the channel is using data or voice, or is vacant, but there is no specific disclosure as to the busy state as recited in the present claims. A busy state alone is not a disclosure as recited in the present claims. Further, the idle state is not specifically disclosed in Suda and not as recited in the present claims. Suda does discuss a base station storing information regarding whether each of the traffic channels is non-free, data-free or speech-free, but this is not carried out specifically with the connection release.

Therefore, Suda does not control the state information of each mobile performing communication, but rather Suda is controlling the' State information of each channel that can be assigned in a base station.


On the contrary, the present invention updates state information of the ANs according to the call connection and connection release between the ANs through a private network.

Therefore, the present invention is patentably different from Suda.

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested.

No fee is incurred by this response.

Respectfully submitted,


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